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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): ANO 6182/3152

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Signature: Lynn Brush

Typed or printed name: Lynn Brush

Application Number	Filed
09/674,201	12/06/2000

First Named Inventor: Hans Hallstrom

Art Unit	Examiner
1731	Peter Chin

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record. Registration number 30,697
- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Signature

David H. Vickrey
Typed or printed name

(914) 674-5460
Telephone number

December 1, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No. 09/674,201

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
HANS HALLSTROM, et al.

Serial No.: 09/674,201

Filing Date: December 6, 2000

For: A PROCESS FOR THE PRODUCTION OF PAPER

Docket: ANO 6182/3152

Examiner: Peter Chin

Group Art Unit: 1731

Commissioner for Patents
P.O. Box 1450
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CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this NOTICE OF APPEAL and PRE-APPEAL BRIEF REQUEST FOR REVIEW (9 sheets) are being telefaxed to facsimile machine 571-273-8300 to the United States Patent and Trademark Office on this 1st day of December, 2005 by the undersigned.

Lynn Brush
Lynn Brush

Reasons for Requesting Review

The June 2, 2005 Office Action issued in the above referenced application rejects all pending claims (46, 47, 53, and 55-57) under 35 USC 102(b) as anticipated, or alternatively, under 35 USC 103(a) as obvious over Bock et al (4,831,092).

The Applicants take this opportunity to request a pre-appeal conference review since the Office Action is based on clear factual error as detailed below.

In the Detailed Action at page 2 of the Office Action, the Examiner cites Bock et al at column 7, for disclosing R_1=C_4 branched alkyl. The Examiner then incorrectly equates this disclosure to the current application as follows: R_1=C_4 branched alkyl=isopropyl. This is clear factual error since isopropyl is C_3 (see attached page 28 from Organic Chemistry, Allinger, et.al). For this reason alone the pending claims are not anticipated by Bock et al.

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Turning to the rejection under 35 USC 103(a), the Applicants draw the panel's attention to the page 7 of the response filed February 22, 2005. As pointed out there, Bock et al requires a C_4 and prefers at least a C_6, teaching away from the currently claimed invention wherein R_1 is at most a C_3 alkyl group (n-propyl or isopropyl). In view of this information, Bock et al. does not render the current claims obvious.

The panel's review of this request, withdrawal of the rejections and allowance of the claims is respectfully requested.

Respectfully submitted,

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the International Union of Pure and Applied Chemistry (IUPAC), an organization formed by international agreement for the purpose of dealing with such problems.

In IUPAC nomenclature the longest chain in the molecule is named as the parent hydrocarbon. The atoms in this longest chain are numbered consecutively from one end so that the substituents on the chain will have the lowest possible numbers. When one portion of a hydrocarbon is considered as a substituent on another portion, the substituent is referred to as an *alkyl group*, and the general name of the compound is an *alkylalkane*.

To obtain the name of the alkyl group, the *-ane* of the alkane is replaced with *-yl*. Thus CH_3CH_3 is eth*ane*, and CH_3CH_2— is eth*yl*. The names and shorthand symbols for the common alkyl groups are given in Table 3.2. A carbon is sometimes referred to as *primary*, *secondary*, *tertiary*, or *quaternary*, depending on whether it is attached to one, two, three, or four other carbons. The names *sec*-butyl and *t*-butyl in Table 3.2 indicate that in these alkyl groups the points of attachment are at carbon atoms connected, respectively, to two and three other carbon atoms.

Table 3.2 Common Alkyl Groups (R—) and Related Fragments[a]

Group	Name	Shorthand
CH_3—	Methyl	Me
CH_3CH_2—	Ethyl	Et
$CH_3CH_2CH_2$—	*n*-Propyl	*n*-Pr
$CH_3CH(CH_3)$—	Isopropyl	*i*-Pr
$CH_3CH_2CH_2CH_2$—	*n*-Butyl	*n*-Bu
$CH_3CH(CH_3)CH_2$—	Isobutyl	*i*-Bu
$CH_3CH_2CH(CH_3)$—	*sec*-Butyl	*s*-Bu
$CH_3C(CH_3)_2$—	*t*-Butyl (or *tert*-butyl)	*t*-Bu
$CH_3CH_2CH_2CH_2CH_2$—	*n*-Pentyl (alternative name: *n*-amyl)	*n*-Am
$CH_3CH(CH_3)CH_2CH_2$—	Isopentyl (alternative name: isoamyl)	
$-CH_2-$	Methylene	
$-CH(-)-$	Methine	

[a]Often the symbol R— is used to mean any alkyl group (radical), and then R—H is any alkane.

Let us now consider how one would name the following compound by the IUPAC system:

$$\overset{1}{C}H_3\overset{2}{C}H(CH_3)\overset{3}{C}H_2\overset{4}{C}H_2\overset{5}{C}H_3$$

2-Methylpentane

The longest straight chain contains five carbon atoms, so the compound will be an alkylpentane. The alkyl group is a methyl, and we must number the pentane chain consecutively from one end in such a way as to give the carbon to which the methyl is attached as low a number as possible. If we number from the left, the methyl is on carbon 2, whereas if we number from the right, it is on carbon 4, so the first